

MAZZESCHI

ITALIAN IMMIGRATION & CITIZENSHIP

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NEWS, UPDATES AND CURIOSITIES ON ITALIAN
IMMIGRATION AND CITIZENSHIP

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ITALIAN IMMIGRATION

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MISSION AND DIPLOMATIC
VISA: CAN YOU REMAIN IN
ITALY AFTER RETIREMENT?



MISSION AND
DIPLOMATIC VISA AND
THE ITALIAN ELECTIVE
RESIDENCE VISA

Do you have an Italian
mission visa or
diplomatic visa?

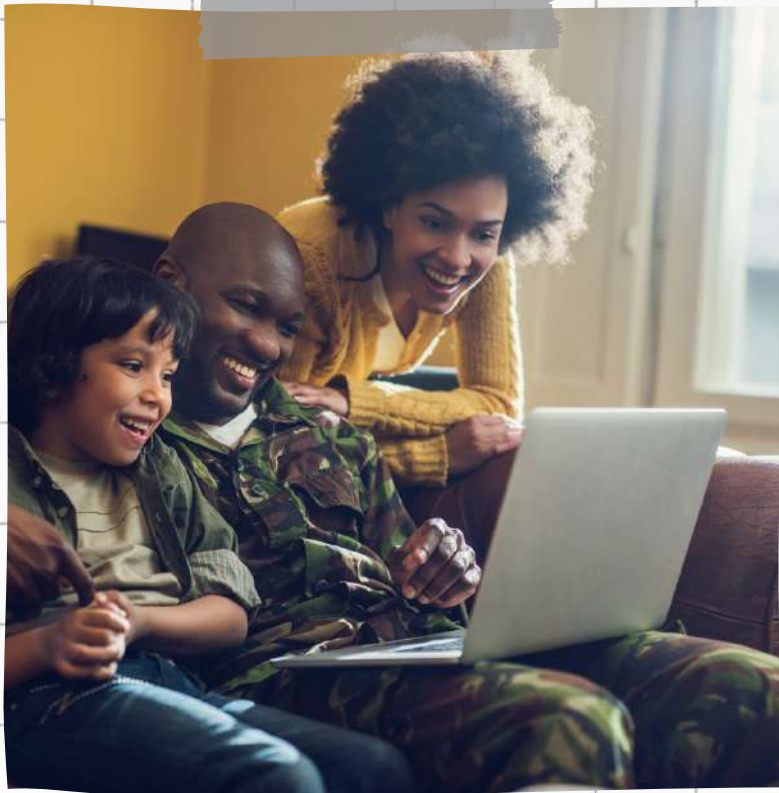
In fact, authorities should
only assess whether the
applicant has sufficient
financial means, regardless
of the need for an entry
visa.

A recent court decision (TAR
Piemonte, sez. I, 17 July 2023, n.
687) stated that holders of special
ID documents issued by the
Ministry of foreign affairs (such as
accredited Diplomatic Corps and
their family members, Consular
Corps members, FAO Officials,
Staff at Diplomatic Missions,
Officials of International
Organizations, etc.) can apply for
the elective residence permit
(permesso di soggiorno per
residenza elettiva) in Italy even if
they have not obtained the
relevant visa.



US MILITARY
DEPENDENTS
AND REMOTE
WORK FROM
ITALY

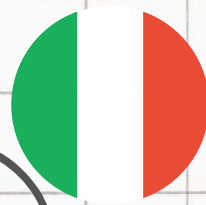
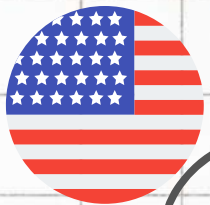
US military
dependents in Italy
are now authorized to
work remotely for US
employers



According to the announcement made by U.S. Army Garrison Italy, dependents of US military members, civilian employees and contractors stationed in Italy who hold a "visto per missione" (Italian mission visa) are now eligible to work remotely for US employers.



However, remote working for non-US companies remains unauthorized.

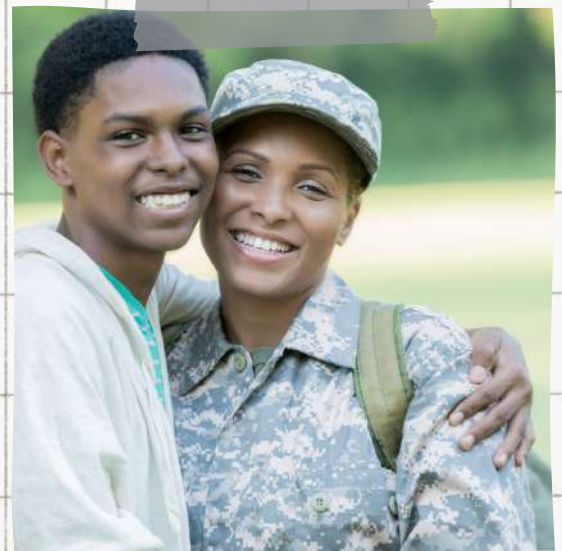
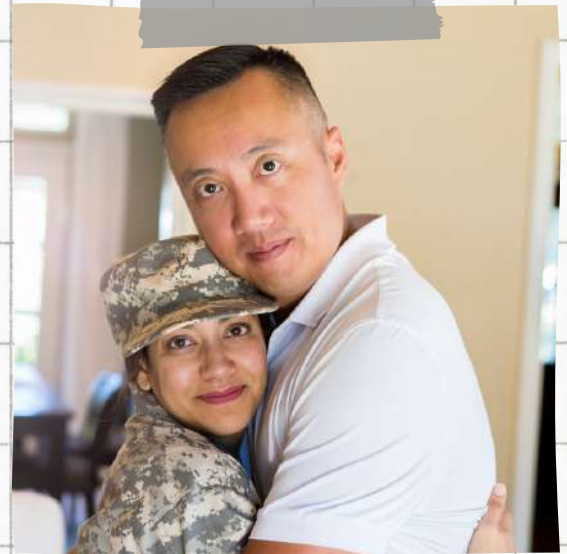


IMPORTANT POINTS

1 So far, we could not find any official communication or announcement made by the Italian government regarding this news.

2 The details of the process haven't been publicly disclosed.

3 This authorization to telework applies ONLY to dependents of US military members, civilian employees and contractors stationed in Italy who hold a "visto per missione" (Italian mission visa). Telework may be performed from the quarters and remote working for non-US companies remains unauthorized.



LIVING AND WORKING IN ITALY: 20 FAQs



1) Do I need a visa to travel to Italy?

It depends on the nationality, purpose of the visit, duration of the stay. Italy has an agreement with certain countries that permits the entry into Italy for up to 90 days any 180 day period without the need for a visa.

2) What do I need to work in Italy?

You can only work in Italy if you have obtained a work permit (Nulla Osta), a work visa and have applied for a residence permit (permesso di soggiorno), or if you have a residence permit allowing work (family permit, permit for subordinate employment or self-employment etc.). You cannot work simply obtaining a VAT registration (Partita IVA) or a tax code (codice fiscale).

3) Can I extend my 90-day stay/visa?

As a general rule, no. It is possible to request the extension only for reasons of force majeure, humanitarian reasons or serious personal reasons.

4) Can I be in Italy while my work permit application is pending?

Yes, you can be in Italy as a business visitor or as a tourist for max 90 days in 180 days

6) Do I need to register when I enter Italy with my visa?

Whether you enter Italy on a short-term or a long-term stay, you need to comply with registration requirements within 8 days from arrival, by applying for a residence permit or by declaring your presence according to your type of visa.

7) Do I need to renew the visa when it expires?

A visa issued for a long-term stay is an authorization to enter the country but it requires the application of a residence permit (permesso di soggiorno) within 8 days from entry. From the moment the residence permit is issued, it substitutes the visa. The visa does not require renewal, it is the residence permit that must be renewed through an in-country procedure.

8) Can I work in other EU countries with my Italian permit?

Generally speaking, an Italian residence permit allows the holder to circulate within the Schengen area up to a maximum of 90 days in any 180 days as a visitor but does not allow any work activity in another EU country. An exception to this is given by the permit issued pursuant to the EU ICT Directive: the holder of an ICT permit can move to work in the framework of an intra-corporate transfer in another member state for up to 90 days in any 180 days without requesting an additional permit.

9) Can I travel while I am waiting my permit of stay extension?

While waiting for the residence permit renewal, the holder can return to their home country or travel to other non-Schengen countries (visa requirements to be checked) but it is strictly forbidden to pass through any Schengen country, even for a short airport layover.

10) Can dependants work in Italy?

Holders of family permits (permesso di soggiorno per motivi familiari) are allowed to work in Italy

11) Who Qualifies as a Dependant?

For the purpose of applying for a family permit as a family member of a NON-EU national, the following are recognised as dependants: (i) spouse, regularly married and of full legal age (at least 18), also same sex; (ii) children under 18 (also spouse's children provided the other parent consent is granted); (iii) children over 18, only if financially dependent due to total disability; (iv) financially dependent parents, provided they do not have any other children in their country of origin; (v) parents over 65 if they do not have any other children who can financially support them in their home country because of serious health reasons

13) I am a non-EU citizen married to an Italian/EU citizen. Can I come to live in Italy?

Yes, provided that your Italian/EU spouse takes residency in Italy.

12) More favourable rules apply to family members of an EU citizen residing in Italy.

The following can apply for a family permit: spouse; direct descendants, also of the spouse (i.e. children, grandchildren, etc.) under 21 or financially dependent; financially dependent direct ascendants, also of the spouse (i.e. parents, grandparents, etc.). An application may be possible also for other family members (under certain circumstances) and for the partner with whom the EU citizen has a durable relationship, duly attested by means of official documents

14) Can I rent an apartment before obtaining my work visa?

Yes, this is possible. To rent an apartment you only need a tax code (codice fiscale).

15) Can I obtain the Italian tax Code (codice fiscale) before I have my visa and go to Italy?

Yes, you will only need to provide a copy of your passport and your foreign address.

16) Do I have to comply with integration requirements?

Any foreigners over 16 years of age moving to Italy and applying for a 1 year permit are required to sign a so called 'Integration Agreement' (Accordo di Integrazione) with the Italian state. There are 2 years, which can be extended up to 3, to comply with the integration requirements set in the Agreement.

17) When can I apply for permanent residency?

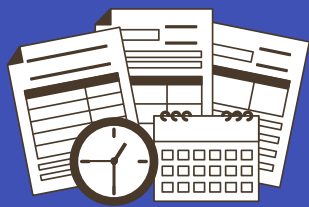
After 5 years of legal and continuous stay in the country, a foreign national can apply for a permanent residence permit, named EU permit for long term residents (permesso di soggiorno UE per soggiornanti di lungo periodo). Generally speaking, the issuance of this permit is subject to: (i) possession of a valid residence permit; (ii) knowledge of Italian language (at least A2 level of the Common European Framework); (iii) have a minimum income not lower than the annual amount of the social allowance and have filed tax returns in Italy; (iv) submission of police clearance.

19) What are the requirements to obtain citizenship by residency?

Legal residents (i.e starting date is the day you register with the City Hall not your entry in Italy) may be able to apply for citizenship after 10 years of residency.

20) Will my permit of stay be cancelled if I leave Italy for long periods?

The permit cannot be renewed or extended if the holder has left Italy for more than 6 consecutive months or in case of two year permits, if the holder has left Italy for more than half the validity of the permit consecutively (e.g. 12 consecutive months for a permit with a validity of 24 months).



WORKING IN ITALY: HOW TO UNDERSTAND YOUR PAYSリップ AND ABOUT THE TAXES YOU PAY

How to understand your payslip if you work in Italy? If you work in Italy as an employee, you will receive a monthly “busta paga”, which is the Italian version of payslip. Italian payslips can be a little bit difficult to understand as there are different sections and items with many technical words.



HOW PAYSLIPS ARE STRUCTURED IN ITALY



Generally speaking, an Italian payslip is divided in three sections.

Payslips may vary a little bit depending on each company. Below, there is an example of a standard Payslip.

Company Name		Company INPS Code	Month to be paid	INAIL ISTITUTO NAZIONALE PER L'ASSICURAZIONE CONTRO GLI INFORTUNI SUL LAVORO
Company Code		Company INAIL Code		
Employee's code	Matricole	Full name	Hiring date	Termination date
Address		Codice Fiscale	Codice INPS Position	Level
Workable hours	Worked hours	Worked days	Seniority pay increase Years Month	
Base salary	Cost-of-living allowance		Distinct component of pay	
Variable items of the month	Base amount	Withholding	Fees	Reference
EXAMPLE		Total withholding		Total Fees
		NET SALARY		
Paid holidays		Permissions		
Remaining from last year	Accrued	Used	Remaining	Remaining from last year
				Accrued
				Used
				Remaining
Deductions				
For the employee	for the dependent spouse	for the dependent children	for other family member	other

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SECTION 1

The first section contains information about the employer, the employee and it also includes the base salary of the employee based of the classification level and the collective agreement applied to the case.

More specifically, this section contains INAIL number, INPS number, personal information of the worker (personal data, qualification, length of service, etc.), the paid period (month), etc. This section also indicates those items that make up the worker's de facto wages: base salary which is determined by the collective agreement on the basis of the category, the worker's qualification and the seniority steps, which are periodic increases in wages established by the collective agreements; contingency, E.D.R.

WHAT IS INAIL?



INAIL stands for Istituto nazionale per l'assicurazione contro gli infortuni sul lavoro and it means National Institute for Insurance against Accidents at Work. It is a public non-profit entity that safeguards workers against physical injuries and occupational diseases.

WHAT IS INPS?



INPS stands for Istituto Nazionale della Previdenza Sociale and it means National Institute for Social Security.

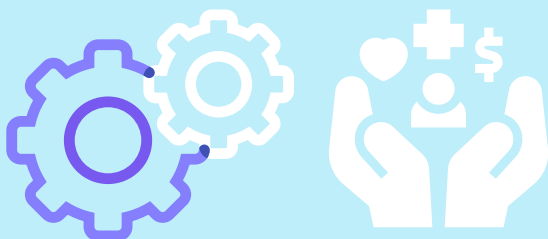


SECTION 2

The second section, which is also known as the body of the payslip and it is the main part of it. In this section, you will find the variable items of the month that directly impacts your actual salary. For example: how many hours you worked, any hours of holidays that were taken (including any specific leaves), public holidays, social security contributions and tax withholdings.

In some specific periods of the year, other items may also be reported, such as the thirteenth (tredicesima) or fourteenth (quatordicesima) month salary, advances on severance pay (officially known as TFR), productivity bonuses, etc.

After summing up all the variable items for the month (gross pay), the social security contributions are calculated. They are those that the employer is required to pay to INPS to guarantee the employee the retirement and invalidity pension, sickness and maternity leave and family allowances.



The percentage of withholding due for social security and welfare reasons varies according to the type of contract.

Once the social security contributions due by the worker have been deducted, we can now see the "taxable income". The taxes you pay in your payslip in Italy are: IRPEF, regional taxes, and town taxes. A part of these contributions is paid by the worker and are withheld in the pay slip, while the remaining amount is paid by the employer.



WHAT IS THE MEANING OF IRPEF IN ITALY?

IRPEF stands for Imposta sul Reddito delle Persone Fisiche and it refers to Personal Income Tax.

It is a progressive tax divided as follows:

- up to €15,000: 23%
- between €15,000 and €28,000: 25%
- between €28,000 and €50,000: 35%
- Over €50,000: 43%

Moreover, "regional" and "communal" taxes will be also applied.

SECTION 3

The third section contains the amount of social security and tax deduction summed up and the net salary. Also, this section includes a summary of the annual leaves (for example: used and remaining days and hours).

ADDITIONAL INFORMATION: PAYMENT OF SOCIAL SECURITY AND BILATERAL AGREEMENTS



Some countries have signed bilateral agreements with Italy regarding the payment of social security. In those cases, specific rules will apply to the seconded workers (for example: those with ICT work permit and Service Agreement work permit) coming from those countries.



ABOUT THE ITALIAN PROVISIONAL PERMIT OR TEMPORARY PERMIT





WHAT IS A AN ITALIAN PROVISIONAL PERMIT OR TEMPORARY PERMIT?

About the Italian provisional permit or temporary permit: By law, foreigners waiting for the renewal of their residence permit (permesso di soggiorno) can return to their home country or travel to other non-Schengen countries (visa requirements to be checked) but are strictly forbidden from passing through any Schengen country, even for a short airport layover (transit).

“ The Italian provisional or temporary permit, in Italian “permesso di soggiorno provvisorio”, is a travel document that allows individuals to legally travel in the Schengen countries (under the 90 days in a 180-days period rule) while their application for a regular permit is being processed. ”

Here are some key points about the permesso di soggiorno provvisorio:



FAQ

ABOUT THE ITALIAN PROVISIONAL PERMIT OR TEMPORARY PERMIT

Q

What is the purpose of the Italian provisional permit or temporary permit?

A

The Italian provisional or temporary permit is intended to bridge the gap between the expiration of an individual's long-term visa or previous residence permit and the issuance of the regular residence permit. Most importantly, such permit is granted to those who have (sufficient and extensive proof of) urgent needs of travelling before the issuance of their permesso di soggiorno.



Q

How can I apply for the Italian provisional permit or temporary permit?

Q

A

To obtain a permesso di soggiorno provvisorio, applicants must visit the police office in person and provide sufficient and evident proof to justify their need to travel (e.g. can be work-related documents justifying the trip, letters from doctors explaining needs for specific treatments in other Schengen countries, etc.) along with receipts of their pending residence permit application.



Q

What rights does the Italian provisional permit or temporary permit grant?

“

A

The conditions and rights associated with this provisional permit are generally similar to those of the regular residence permit for which the individual has applied.



”

Q

How long does this permit last?

“

A

The permesso di soggiorno provvisorio is typically valid for a limited period, generally a few months.

”



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